



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#10  
12-1202

Re Application Of:

BRIAN J. GREEN and  
ROBERT L. BROMLEY

Serial No.: 09/728,546

Filed: December 4, 2000

For: **IN-LINE SKATE SUSPENSION  
SYSTEM WITH BRAKE**

EXAMINER: Sliteris, J.

Art Unit: 3618

RESPONSE TO NOTICE OF  
NON-COMPLIANT AMENDMENT

Hon. Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

I hereby certify that this correspondence is being  
deposited with the United States Postal Service as first  
class mail in an envelope addressed to.  
Commissioner of Patents and Trademarks, Washington,  
D.C. 20231. on Dec 3, 2002  
(Date of Deposit)

Brian D. Smith  
Name of applicant, assignee, or Registered Rep  
Brian D. Smith 12-3-02  
Signature Date

Dear Sir:

Attached are pages 4 and 5 of the amendment found to be non-compliant on the basis that the amendment was not signed. As the Office will appreciate, the amendment was signed on page 5 of the amendment.

Please contact the undersigned immediately if there is any problem with Applicant's response to the Notice.

Respectfully submitted,

BRIAN D. SMITH, P.C.

12-3-2002

Brian D. Smith  
Brian D. Smith, Reg. No. 30,688  
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been deleted from claims 1 and 18. (Claim 4 was canceled without prejudice) With respect to claim 13, it will be appreciated that the word "member" appearing in claim 1 has been substituted for the word "means", thereby remedying the §112 rejection.

With respect to "Priority", it will be appreciated that the section of the application entitled "Cross Reference to related Applications has been amended to recite the current status of the related applications.

With respect to the oath being defective, a new oath will be provided updating the current status of the applications for which priority is being claimed.

With respect to the drawings, openings 98 are properly shown in Figure 7. They are not in the embodiment shown in Figure 2. With respect to the remaining objections, it will be appreciated that the suggested corrections have been made as shown in attached sheets 4/12 to 8/12 for which approval is requested.

A petition for a three month extension of time under 37 C.F.R. 1.136 in which to respond to the Office Action is also attached along with the form for payment of the extension fee by credit card.


In view of the above amendment and remarks, applicant respectfully submits that this application is in condition for allowance. Accordingly, reexamination and reconsideration are requested and allowance is solicited at an early date.

Respectfully submitted,

BRIAN D. SMITH, P.C.



11-12-2002

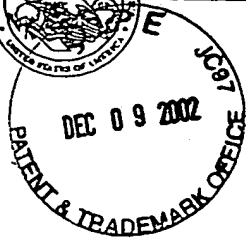
  
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UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, DC 20231  
www.uspto.gov



Paper No.

## Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment filed on 11-19-02 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121, as amended on September 8, 2000 (see 65 Fed. Reg. 54603, Sept. 8, 2000, and 1238 O.G. 77, Sept. 19, 2000). In order for the amendment to be compliant, applicant must supply the following omissions or corrections in response to this notice.

THE FOLLOWING ITEMS ARE REQUIRED FOR COMPLIANCE WITH RULE 1.121 (APPLICANT NEED NOT RE-SUBMIT THE ENTIRE AMENDMENT):

- ☒ 1. A clean version of the replacement paragraph(s)/section(s) is required. See 37 CFR 1.121(b)(1)(ii).
- ☐ 2. A marked-up version of the replacement paragraph(s)/section(s) is required. See 37 CFR 1.121(b)(1)(iii).
- ☐ 3. A clean version of the amended claim(s) is required. See 37 CFR 1.121(c)(1)(i).
- ☐ 4. A marked-up version of the amended claim(s) is required. See 37 CFR 1.121(c)(1)(ii).

Explanation: Your amto was not signed

(LIE: Please provide specific details for correction to assist the applicant. For example, "the clean version of claim 6 is missing.")

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714 and the USPTO website at <http://www.uspto.gov/web/offices/dcom/olia/pbg/sampleaf.pdf>. A condensed version of a sample amendment format is attached.

- ☐ **PRELIMINARY AMENDMENT:** Unless applicant supplies the omission or correction to the preliminary amendment in compliance with revised 37 CFR 1.121 noted above within ONE MONTH of the mail date of this letter, examination on the merits may commence without entry of the originally proposed preliminary amendment. This notice is not an action under 35 U.S.C. 132, and this ONE MONTH time limit is not extendable.
- ☒ **AMENDMENT AFTER NON-FINAL ACTION:** Since the above-mentioned reply appears to be *bona fide*, applicant is given a TIME PERIOD of ONE MONTH or THIRTY DAYS from the mailing of this notice, whichever is longer, within which to supply the omission or correction noted above in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Mary Evans  
Legal Instruments Examiner (LIE)